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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4733/2007

Petitioner		R.K.Vaishnav s/o Shri K.D.Vaishnav aged about 45 years working as Surveyor Soil Conservation Sub Division Manendragarh, District-Koriya(CG)
		Versus
RESPONDENTS	1	The State of Chhattisgarh, Through: Secretary, Department of Agriculture, DKS Bhawan, Raipur (CG)
	2.	Under Secretary, Govt. of Chhattisgarh, Agriculture Department, DKS Bhawan, Raipur(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Sudeep Agrawal and Shri Mohd. Asif counsel for the petitioner.

Shri Yashwant Singh, G.A. for the State on advance copy.

ORAL ORDER
(27.8.2007)

Sunil Kumar Sinha, J.

Heard.

The petitioner, who has been transferred from Manendragarh, District Koriya to Ambikapur District-Sarguja, has challenged the validity of his transfer order.

Learned counsel for the petitioner argue that the transfer has been affected in mid-session. They also argue that the parents of the petitioner are old and infirm; therefore, it is very difficult for the petitioner to comply with the order of transfer.

Needless to say that these are not the grounds for the Court of law to interfere with the order of transfer passed by the competent authority. These grounds are to be considered by the employer itself. Unless the order is shown to be vitiated by

malafides, extraneous considerations or against the Rules or the Act, the Courts are not required to interfere with the orders of transfer is the settled view of Supreme Court.

At this stage, learned counsel for the petitioner submit that a representation has already been filed by the petitioner before the concerned authority vide Annexure P-3 and at least, that should be directed to be disposed of.

Considered.

While disposing of this petition, it is directed that if the representation (Annexure P-3) has not been disposed of by the concerned authority till today, the same shall be disposed of at the earliest in accordance with law.

Sd/-
Sunil Kumar Sinha
Judge

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